

Atty. Docket No. DE920000090US1
(590.160)

REMARKS

Please note the fact that October 15, 2006, fell on a Sunday ensures that this paper is timely filed as of today, Monday, October 16, 2006 (the next succeeding day which is not a Saturday or Sunday).

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. The Office is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the following remarks.

Claims 1-13 are pending in the application. Of these claims, Claims 1, 12, and 13 are independent claims; the remaining claims are dependent claims. The remaining claims are dependent claims. Claims 1, 12, and 13 have been rewritten. Applicant intends no change in the scope of the claims by the changes made by this amendment. It should be noted these amendments are not in acquiescence of the Office's position on allowability of the claims, but merely to expedite prosecution.

Claims 1 and 13 stand rejected under 35 USC § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically it is asserted Claims 1 and 13 contain limitations which lack antecedent basis. The claims in contention have been amended to address this issue.

Atty. Docket No. DE920000090US1
(590.160)

Claims 1, 3, and 12 stand rejected under 35 USC § 102(e) as being anticipated by Smith et al. Reconsideration and withdrawal of this rejection is respectfully requested.

As best understood, Smith et al. appears to be directed towards an adapter card for managing connections between clients and a network server that off-loads the connection management burden from the server to the adapter card. Specifically, the adapter card includes a memory with an embedded proxy application and a communication protocol stack. A proxy cache provides storage for server responses, so that the proxy application can provide stored responses to clients submitting requests without re-accessing the server. Smith et al. does not teach or suggest operating a local memory being associated with the network coupling adapter as a cache memory for storing transmission control information. The cache residing in the local memory does not store transmission control information, but rather stores responses to client requests. This is in stark contrast to the instant invention, in which any information that is not transmission control information is stored in the system memory (as relayed in the independent claims.)

Claim 1 recites, *inter alia*, operating a local memory being associated with the network coupling adapter as a cache memory relative to a system memory **of the one or more computing device** for storing transmission control information ... **such that transmission control information is cached in the local memory and information other than transmission control information is stored in the system memory.** (emphasis added) The other independent claims recite similar limitations.

Atty. Docket No. DE920000090US1
(590.160)

Thus, it is respectfully submitted that Smith et al. clearly falls short of present invention (as defined by the independent claims) in that Smith fails to disclose, *inter alia*, operating a local memory being associated with the network coupling adapter as a cache memory relative to a system memory of the one or more computing device for storing transmission control information, such that transmission control information is cached in the local memory and information other than transmission control information is stored in the system memory. Accordingly, Applicants respectfully submit that the applied art does not anticipate the present invention because, at the very least, "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under construction." *W.L. Gore & Associates, Inc. v. Garlock*, 721 F.2d 1540, 1554 (Fed. Cir. 1983); *see also In re Marshall*, 198 U.S.P.Q. 344, 346 (C.C.P.A. 1978).

Claims 2, 4-11 and 13 stand rejected under 35 USC § 103(a) as obvious over Smith et al. in view of Pettey et al. Reconsideration and withdrawal of the present rejections are hereby respectfully requested.

A 35 USC 103(a) rejection requires that the combined cited references provide both the motivation to combine the references and an expectation of success. Not only is there no motivation to combine the references, no expectation of success, but actually combining the references would not produce the claimed invention. Thus, the claimed invention is patentable over the combined references and the state of the art.

Pettey et al. does not overcome the deficiencies of Smith et al. set forth above. Furthermore, even if there were a motivation for the combination, this combination does

Atty. Docket No. DE920000090US1
(590.160)

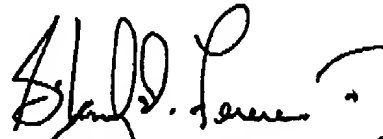
not teach or suggest the claimed invention. As best understood, Pettey et al. is directed to an InfiniBand channel adapter that performs direct data transfers between a bus and an InfiniBand link without needing to double-buffer the data in system memory. There is no teaching or suggestion in Pettey et al. to operate a local memory being associated with the network coupling adapter as a cache memory relative to a system memory of the computing device. Further, there is no teaching or suggestion in Pettey that transmission control information is cached in the local memory and information other than transmission control information is stored in the system memory. Thus, the combination of Pettey et al. with Smith et al. does not teach or suggest the claimed invention, especially with regards to independent Claim 13, which recites, *inter alia*, comprising a local memory being operable as a cache memory relative to said interconnected memory of the one or more computing device ... such that transmission control information is cached in the local memory and information other than transmission control information is stored in the system memory.

In view of the foregoing, it is respectfully submitted that independent Claims 1, 12, and 13 fully distinguish over the applied art and are thus allowable. By virtue of dependence from Claim 1, it is thus also submitted that Claims 2-11 are also allowable at this juncture.

Atty. Docket No. DE920000090US1
(590.160)

In summary, it is respectfully submitted that the instant application, including Claims 1-13, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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